

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

SHAVON TYVELL BOYD,)	
)	
Petitioner,)	
)	
vs.)	CAUSE NO. 3:15-CV-207
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

This matter is before the Court on the Petition under 28 U.S.C. Paragraph 2254 for Writ of Habeas Corpus filed by Shavon Tyvell Boyd, a *pro se* prisoner, on May 14, 2015. For the reasons set forth below, the Court **DENIES** the petition (DE #1).

BACKGROUND

Shavon Boyd filed a habeas corpus petition challenging WCC 15-03-0070, a prison disciplinary proceeding held at the Westville Correctional Facility. On March 11, 2015, the Disciplinary Hearing Body (DHB) found him guilty of Abuse of Mail in violation of C-361. As a result, he was sanctioned with the loss of 30 days earned credit time, but the deprivation was suspended and has not yet been imposed. (DE #1 at 1.) As such, he has not yet lost any earned credit time as a result of this hearing.

DISCUSSION

A prison disciplinary action can only be challenged in a habeas corpus proceeding where it results in the lengthening of the duration of confinement. *Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003). Here, because this disciplinary proceeding did not result in the lengthening of the duration of his confinement, habeas corpus relief is not available. Because there is no relief that he can obtain in this habeas corpus proceeding, the petition will be denied. If in the future the suspended sanction is imposed, then he may file another habeas corpus petition challenging this hearing.

CONCLUSION

For the reasons set forth above, the Court **DENIES** the petition pursuant to SECTION 2254 HABEAS CORPUS RULE 4 and this case is dismissed without prejudice. (DE #1).

DATED: May 19, 2015

/s/RUDY LOZANO, Judge
United State District Court